



COUNTY GOVERNMENT OF NAIROBI CITY

NAIROBI CITY COUNTY ASSEMBLY

PROGRAMME OF ASSEMBLY BUSINESS

WEEK COMMENCING;

WEDNESDAY, 4TH OCTOBER, 2023



***3RD ASSEMBLY * 2ND SESSION**

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4th October, 2023

COUNTY GOVERNMENT OF NAIROBI CITY
COUNTY ASSEMBLY THIRD ASSEMBLY
(SECOND SESSION)

PROGRAMME OF ASSEMBLY BUSINESS FOR THE WEEK COMMENCING
WEDNESDAY, 4TH OCTOBER, 2023

WEDNESDAY: Communication from the Chair, Petitions, Papers
04/10/2023 Laid, Notices of Motions, Messages and Statements.

Wednesday, 4th October, 2023 at 2.30p.m.

1. *MOTION – CHAIRPERSON, SECTORAL COMMITTEE ON LANDS,
PLANNING & HOUSING

Subject: *Adoption of report*

THAT, this Assembly adopts THE REPORT OF THE SECTORAL COMMITTEE ON LAND, PLANNING AND HOUSING ON INQUIRY ARISING FROM A STATEMENT REGARDING ILLEGAL DEMOLITION OF RESIDENTIAL HOME BUILT ON LAND LR. NO. 1870/111/46 AND IRREGULAR ACQUISITION OF THE SAME BY LARIAK PROPERTIES IN SCHOOL LANE, PARKLANDS HIGHRIDGE WARD, laid on the table of the Assembly on Thursday, 15th June 2023.

2. *MOTION – HON. PERPETUA MPONJIWA, MCA

Subject: *Policy and programmes on child headed households within the County*

THAT, aware that the United Nations Convention on the Rights of the Child (UNCRC), is the most complete statement of children's rights ever produced and is the most widely-ratified international human rights treaty in history, ratification which Kenya is party to; **noting that** the Convention has 54 articles that cover all aspects of a child's life and set out the civil, political, economic, social and cultural rights that all children everywhere are entitled to and also explains how adults and governments must work together to make sure all children enjoy all their rights; **concerned that** ensuring child rights in Kenya is still a challenge, thirty-one years after ratification of the treaty, and efforts by the State to enforce these rights have not been sufficient as evidenced by rampant cases of abuse and neglect; **further concerned that** there are many children heading households (CHH) in urban informal settlements facing specific vulnerabilities shaped by limitations on their opportunities and capabilities within the context of urban inequities, which affect their wellbeing; **noting that** Section 62 of the Children Act, 2022 provides for the County Government to establish welfare schemes to provide or facilitate the provision of childcare facilities and programmes for children including children with disabilities; **recognizing that** if County Governments do not supplement efforts to address Child Rights by National Government the implementation of the UNCRC charter will remain a mirage; **considering** the huge mandate that the Nairobi City County has in respect to the Children and **acknowledging that** the County is in the process of enacting a policy and legislation on children welfare, this Assembly urges that the County Executive to: -

1. develop a comprehensive policy that will promote sustainable solutions to child headed households; and



2. develop programs which will create awareness and address needs of child headed households, skills training on issues of reproductive health, children's rights, drug abuse, home management and conflict resolution for children in child headed households within the County.

Thursday, 5th October, 2023 at 2.30p.m.

1. *MOTION –VICE-CHAIRPERSON, SELECT COMMITTEE ON POWERS & PRIVILEGES

Subject: *Adoption of report*

THAT, pursuant to Section 15 (7) of County Assemblies Powers and Privileges Act, 2017, this Assembly adopts **THE REPORT OF THE SELECT COMMITTEE ON POWERS AND PRIVILEGES ON INQUIRY INTO ALLEGATIONS OF BREACH OF PRIVILEGE BY HON. HASHIM KAMAU, MCA, MEMBER FOR CALIFORNIA WARD**, laid on the table of the Assembly on Tuesday, 3rd October, 2023.

2. *MOTION – HON. PETER JATESO IMWATOK, MCA – MAJORITY LEADER

Subject: *Establishment of an Ad-Hoc Committee to Investigate the County Local Revenue Collection System(S) And Administration*

WHEREAS, Article 209 and 210 of the Constitution grants powers to County Governments to impose, vary or waiver taxes, fees, levies and other charges in order to raise revenues to fund their programs;

AND WHEREAS, Nairobi City County boasts of several revenue streams yet there has been gross underperformance as regards the county's annual revenue collection *vis a vis* its annual county expenditure;

NOTING, that an effective revenue collection system is one of the foundations needed to buttress sustainable economic growth;

FURTHER NOTING, that underperformance in revenue collection by the County is attributed to challenges in collection and administration of revenue;

COGNIZANT, that attempts to improve revenue collection have seen the County Government adopt various strategies including adoption of automated revenue collection systems such as Jambo Pay, Noveta, the Nairobi Revenue system by the Kenya Revenue Authority (KRA), the Nairobi Pay System and the recent establishment of the Nairobi Revenue Authority;

CONCERNED, that despite the adoption of the aforementioned strategies the county's internal revenues have continued to decline;

FURTHER CONCERNED, that failure to properly manage local revenue collection could lead to the County Government failing to fund its recurrent and development programs since relying on the national equitable share is currently unsustainable;

NOW THEREFORE, the County Assembly resolves to establish an *Ad-Hoc* Committee comprising of **thirteen** Hon. Members to inquire into the revenue collection system (s) adopted by the County Government and report to the Assembly within sixty (60) days after the adoption of this Motion on -

- i) Reasons why local revenues have been declining;
- ii) The nature, strengths and weaknesses of the revenue collection system (s) currently being used by the County Government; and
- iii) Propose legal, policy and administrative interventions on improvement of local revenue collection.



AND FURTHER that the Majority and Minority coalitions represented in the County Assembly proposes names of Members to the said Ad Hoc Committee based on their strengths in the Assembly within seven (7) sitting days of adoption of this Motion.

Wednesday, 11th October, 2023 at 2.30 p.m.

A. MOTION – VICE-CHAIRPERSON, SELECT COMMITTEE ON POWERS AND PRIVILEGES

Subject: Adoption of Report

THAT, pursuant to Section 15 (7) of County Assemblies Powers and Privileges Act, 2017, this Assembly adopts **THE REPORT OF THE SELECT COMMITTEE ON POWERS AND PRIVILEGES ON INQUIRY INTO ALLEGATIONS OF BREACH OF PRIVILEGE BY HON. ROBERT ALAI, MCA, MEMBER FOR KILELESHWA WARD**, laid on the table of the Assembly on Tuesday, 3rd October, 2023.

B. MOTION – HON. PETER JATESO IMWATOK, MCA – MAJORITY LEADER

Subject: Harassment of County Executive Staff

THAT, aware that Article 235 of the Constitution of Kenya (2010) provides for the County Executive to establish a County Public Service and appoint persons to serve in the said Service; **FURTHER AWARE** that, Article 236 of the Constitution protects public servants from victimization, harassment, intimidation or dismissal by any person for performing the functions of their offices in accordance with the Constitution or any other law; **NOTING** that, in the recent past, several staff of the Nairobi City County Government have expressed increased intimidation, harassment, suspension and even irregular dismissal occasioned by one **Osman Khalif Abdi**, the immediate former Member of the County Assembly for South 'C' Ward; **FURTHER NOTING** that, the said Osman Khalif Abdi and his accomplices, while pushing their personal agenda that borders on corrupt and unethical practices, have been invoking the name of His Excellency the Governor in order to drive fear among County Staff; **CONCERNED** that, the County Assembly is not aware of any position or portfolio the said Osman Khalif holds within the County Executive hierarchy; **RECOGNIZING** that when confronted with a similar situation the Second Assembly on 13th February, 2018 resolved to bar one Simon Mbugua, the former East African Legislative Assembly (EALA) Member from issuing orders, directives and executing any functions in the name of the County Government and operating within City Hall; this Assembly **RESOLVES** that:-

- i) **Mr. Osman Khalif Abdi**, be barred from issuing orders and directives in the name of the County Executive of Nairobi City and that he immediately ceases operating within City Hall precincts until his roles in the County Public Service and the County Government hierarchy are clarified by the appointing authority.
- ii) County Executive Officers and Members of the Public should henceforth ignore any orders or directives issued in the name of the County Government by **Mr. Osman Khalif Abdi** or any other orders/directives that offend the law and immediately report any cases to relevant authorities as and when they arise.
- iii) The County Secretary and the County Public Service Board to prepare and submit to the County Assembly within twenty-one (21) days of adoption of this Motion a policy paper on the measures for protecting County Staff from harassment and intimidation and action taken to remedy staff who have reported or faced intimidation, harassment and irregular suspension, re-deployment or dismissal.



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